IN RE: PETITION FOR ADMIN. VARIANCE

E/S of Washington Avenue, 51 ft.

N centerline of Brevort Road

2nd Election District

4th Councilmanic District

(3703 Washington Avenue)

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 05-211-A

Victoria Ani
Petitioner
*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter originally came before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Victoria Ani. The Administrative Variance request is for property located at 3703 Washington Avenue in the Milford Mill section of Baltimore County. The request is from Section 432.A.C.1 & 2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit parking setback 1 ft. from the property line in the front and side yards in lieu of the required 10 ft. in the side or rear yard in support of a proposed Class I Assisted Living Facility. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The case was originally filed as an administrative variance, but was ultimately set in for a hearing because of a demand for formal hearing by the Milford Mill Community Association. Notice of the formal hearing was given to the public by posting the property with notice of the hearing on June 26, 2005 and by publication in "The Jeffersonian" newspaper on June 28, 2005.

Applicable Law

Section 307 of the B.C.Z.R. – *Variances*.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted

S/3/05 F. F.

as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the variance request was Victoria Ani, Petitioner. Richard and Sharon Hall, Dorothy Vaughn, Irving Simon and Katherine and James Eley adjacent property owners, appeared in opposition to the requested variance. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, contains 6100 sq. ft. and is zoned DR 5.5. Testimony of the Petitioner indicated that this property is improved by a single family-dwelling with an existing parking pad in the front and side yards as shown on Petitioner's Exhibit 1. Also see exhibit photos 2A and 2B. Ms. Ani indicated that she wanted to open an assisted living facility on the premises, which she said was her principal residence. She indicated that in addition to her living there with her husband and two children, her two parents and four patients would occupy the building. In order to open the assisted living facility, she indicated that she needed to have three parking spaces for her family and patient use. She will prohibit the four patients from driving by contract, to eliminate any patient need for parking spaces. However, she noted that parking is readily available on Washington Avenue in front of her home. She would like to utilize the existing concrete

parking pad for the three spaces, because of the expense of building elsewhere. There is not sufficient room in the back yard to provide the needed parking. The existing pad is only 1 foot from the south property line.

Ms. Vaughn who is president of the Milford Mill Community Association testified in opposition to the assisted living facility and the underlying variance requests. She indicated that having an assisted living facility in the neighborhood would change the character of this residential community of single family homes. She expressed concern that even if the facility starts out as a home for the elderly, experience has shown that these can become half-way houses to the detriment of the community. She presented a petition in opposition to the variance request.

Mr. Simon also objected to the assisted living facility being located in this single family area and stated that the variance would change the character of the neighborhood. He opined that the Petitioner would need a commercial kitchen to support the assisted living facility. Ms. Hall was concerned with the upkeep of the property, presented photographs of a shower and shower surround debris in the side yard, and expressed doubt that the Petitioner actually resides at this home. She was also worried that the assisted living facility might be converted to other uses which would increase the criminal element in the neighborhood. She disputed the Petitioner's contention that parking on Washington Avenue was available to the Petitioner. Ms. Eley indicated that Washington Avenue was very busy and there might be a problem parking on the street.

Findings of Fact and Conclusions of Law

When I think of an assisted living facility, I think of not only patients living there but their friends and relatives coming to visit. I accept that the Petitioner would make a good faith effort to restrict patient parking to limit the impact of this request, but I am concerned about the welfare of the patients in this circumstance. They need friends and relatives coming to see

them. They need contact with extended family for their own well being.

In addition, she proposes parking for three vehicles stacked one on to another. If the

driver of the first vehicle in wants to go out he/she must move two vehicles behind to do so.

With the Petitioner, her husband, her two children and two parents living at the home presently,

this would be difficult. However, if we add four patients and their friends and family to the

premises, the parking problem seems overwhelming.

I agree with the protestants that this number of people living in a dwelling would change

the character of the neighborhood. This would no longer be a single family dwelling as we

understand it.

Considering all the testimony and evidence I will deny the variance request.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore

County, this 3 day of August, 2005, that a variance from Section 432.A.C.1 & 2 of the

Baltimore County Zoning Regulations (B.C.Z.R.), to permit parking setback 1 ft. from the

property line in the front and side yards in lieu of the required 10 ft. in the side or rear yard in

support of a proposed Class I Assisted Living Facility, be and is hereby DENIED,

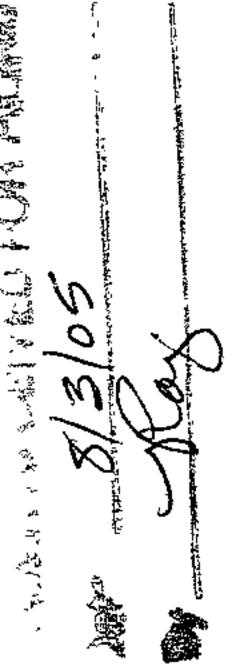
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj



Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax. 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III., Zoning Commissioner

August 4, 2005

Ms. Victoria Ani 3703 Washington Avenue Baltimore, Maryland 21244

Re: Petition for Administrative Variance

Case No. 05-211-A

Property: 3703 Washington Avenue

Dear Ms. Ani:

Enclosed please find the decision rendered in the above-captioned case. The petition for administrative variance has been denied in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Richard & Sharon Hall, 3701 Washington Ave., Baltimore, MD 21244 Dorothy Vaughn, 3604 Bellmore Rd., Baltimore, MD 21244 Irving Simon, 3705 Washington Ave., Baltimore, MD 21244 Katherine & James Eley, 3630 Coronado Rd., Baltimore, MD 21244



Visit the County's Website at www.baltimorecountyonline.info



CASE NO. 05-211-A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3703 Washington five mo 21244 which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner's) of the property situate in Baitimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 432A.C. 1 2 BCTR

TO PERMIT PARMINA SETBACK I' FROM THE PROPERTY LIHE AND IN THE FRONTYARD IN LIEU OF THE REQUIRED 10' AND IN THE SIDE OR REARYARD IN SUPPORT OF A PROPOSED CLASS T ASSISTED LIVING FACILITY

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form

Property is to be posted and advertised as prescribed by the zoning regulations.

i, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly declare ar perjury, that i/we are the leg- is the subject of this Petition	al owner(s) of t	
Contract Purchaser/	<u>/Lessee:</u>		Legal Owner(s):		
			Victoris	Ani	
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City	State	Zip Code	Signature		·····
Attorney For Petition	ner:		3703 Washingto	n Ave	410-922-5226
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			Victoria A	ni	
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			Zanina Cananinaina	of Daltana Ca	
			Zoning Commissioner	or partimore Cor	ınıy

Reviewed By __

Estimated Posting Date

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

REV 10/25/01

	schmore	YVVD	21244
City		State	Zip Code
That based upon personal knowledge, the following a Variance at the above address (indicate hardship or p	ractical difficulty):		•
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That the Affiant(s) acknowledge(s) that if a formal advertising fee and may be required to provide addition	demand is filed, Affiant(s) will be required to	pay a reposting and
J. J	<u> </u>		
Signature And	Signature		
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	·		
STATE OF MARYLAND, COUNTY OF BALTIMORE			
I HEREBY CERTIFY, this 27 day of October of Maryland, in and for the County aforesaid, personal	V appeared	_, before me, a Not	ary Public of the State
Victoria IFEYING	RA AUI		
the Affiant(s) herein, personally known or satisfactorily	/ identified to me as such /	Affiant(s).	-
AS WITNESS my hand and Notarial Seal)	•
	(1)	5)(
	Notary Public		
	My Commission Expire		WM. J. FROST JBLIC STATE OF MARYLAND
			- —

My Commission Expires February 1, 2007

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. 3703 Wash Plantiere

Address

That the Affiant(s) does/do presently reside at

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	City BRITHMIC	State	Zip Code
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STATE OF MARYLAND, COUNTY OF BALTIMO	. .	set	
I HEREBY CERTIFY, this 27 th day of 000 day	onally appeared	, before me	e, a Notary Public of the State
the Affiant(s) herein, personally known or satisfac	torily identified to me as s	uch Affiant(s).	
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REV 10/25/01	•	<u> </u>	Gall in FROST

NOTARY PUBLIC STATE OF MARYLAND

🖖 Jammission Expires February 1, 2007



CASE NO. 05-211-A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3703 Washington Ne Baltmore MD21244 which is presently zoned DR - 5-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 437A.C.I 2 BCZ

TO PERMIT PARKING SETBACK I' FROM THE PROPERTY LINE AND IN THE FRONTYARD IN LIEU OF THE REQUIRED 10' AND SIDEOR REARYAND IN SUPPORT OF A PROPOSED CLASS I ASSISTED LIVING FACILITY

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

If or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly declare perjury, that I/we are the is the subject of this Peti	legal owner(s) of the	
Contract Purchaser	<u>/Lessee:</u>		Legal Owner(s):	ni	
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Company		······································	Name 3/103 W95h		410-262-7180 410-922-5226
Address		Telephone No	Address (hmo-e		Telephone No
City	State	Z _t p Code	City	State	Zip Code
A Public Hearing having be his day ofegulations of Baltimore Coun	en formally demand th ty and that the prope	ded and/or found to be at the subject matter of t rty be reposted	required, it is ordered by the Z his petition be set for a public hea	oning Commissioner of Baltimore Coun	

Reviewed By

Estimated Posting Date

Date 10/27/04

ZONNA DESCRIPTION

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folio #23

Containing 6100 A, Also known as 3703 Washington Ave property address)

(Esquire Feet organism)

and located in the 2 Election District. 4 Councilmanic Street.



FORMAL DEMAND FOR HEARING

	CASE NUMBER: <u>05-21/-</u> A
The state of the s	Address: 3703 Washington Ave
	Petitioner(s): Milford Mill Community Assoc Dorothy Vaughan, Richard & Sharen Hall TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: We The Milford Will Road Community Association
	INVe The Mittord Will Road Community Association Name - Type or Print
	(X) Legal Owner OR (X) Residents of * 370 Washington Aye Address
	Baltimore Md 21244 City State Zip Code 410-655-8934
And the second of the second o	Telephone Number
	which is located approximately Between 15 feet from the property, which is the subject of the above petition, do hereby formally demand that a public hearing be set in this matter. ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
	DEMAND.
	Signature J. Naughan Mon 18,04 Date
	* Buchard Hall Nov 18, 04 Signature
	Revised 9/18/98 - wcr/scj
MISCELLANEOUS RECEIPT OFFICE OF BUDGIET & FINANCE OFFICE O	PECEIVED FINAL SASHIEB PINK AGENCY WHITE - CASHIEB PINK AGENCY

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #05-211-A

3703 Washington Avenue
E/side of Washington Avenue, 51 feet north of centerline of Brevort Road
13th Election District ——1st Councilinanic District
Legal Owner(s): Victoria Ani
Variance: to permit parking setback 1 foot from the property line and in the front yard in lieu of the required class i Assisted Living Facility.

Hearing: Thursday, July 14, 2005 at 9:00 a.m. in Room
407, County, Courts Building, 401 Bosley Avenue,

WILLIAM J. WISEMAN, III

Zoning Colmmissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4336.

(2) For Information concerning the Filu and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 6/751 June 28

OF PUBLICATION

7.2005

, that the annexed advertisement was published ccessive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY ns once in each of Cu

₩ The Jeffersonian ☐ Arbutus Times

Catonsville Times

Owings Mills Times Towson Times

NE Booster,

'Reporter U North County News Mullinga

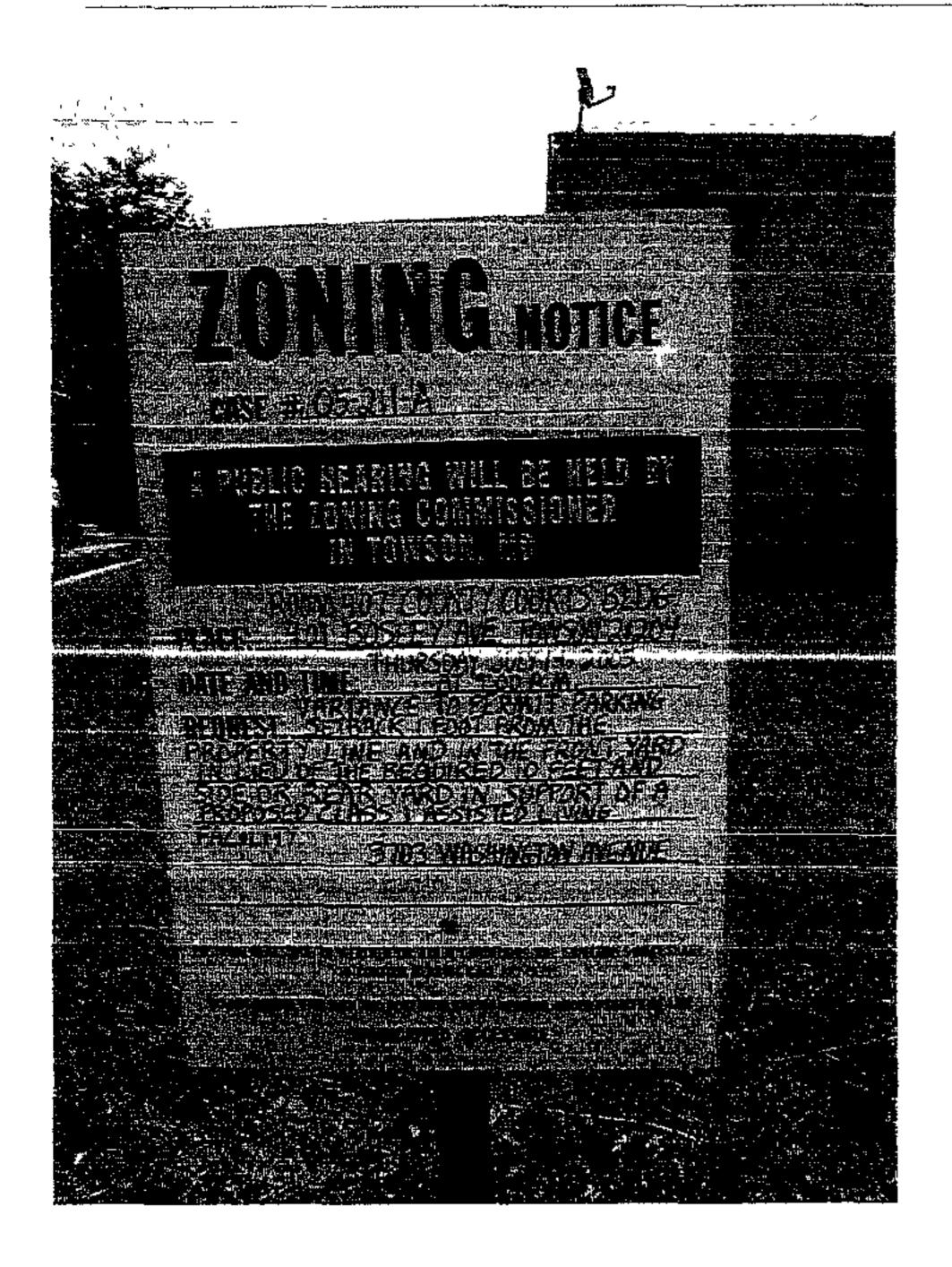
LEGAL ADVERTISING

CERTH.CATE OF POSTING

AT	TENTION! KRISTEN MATTHEWS Date June 27, 2005
RE:	Case Number 05-211-A
	Petitioner/Developer VICTORIA ANT
	Date of Hearing/Closing JULY 14, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3703 WASHINGTON AVE,

The sign(s) were posted on JUNE 26, 2005



(Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

HEARING

The Zoning Commissioner
of Baltimore County, by auof Baltimore County, by auand Regulations of Baltimore County will thold a
more County will thold a
subbilc hearing in Towson,
identified herein as follows:

Case: #05-211-A

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WILLIAM WISEMAN
Zoning Commissioner for
Baltimore County
Baltimore County
NOTES: (1) Hearings are
NOTES: (1) Hearings are
for special accommodafor special accommodations Please Contact the
tions Please Contact the
Zoning Commissioner's OfZoning Commissioner's Office at (410) 887-4386.
fice at (410) 887-4386.
Hearing, Comtact the ZonHearing, Contact the Zon-

ERTIFICAT

12002, 13004

THIS IS TO CERTIFY, that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., once in each of

X The Jeffersonian

Catonsville Times

Arbutus Times

Towson Times

Times Owings Mills

NE Booster/Reporter

News North County White

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date November 11, 2004

RE: Case Number 05-211-A

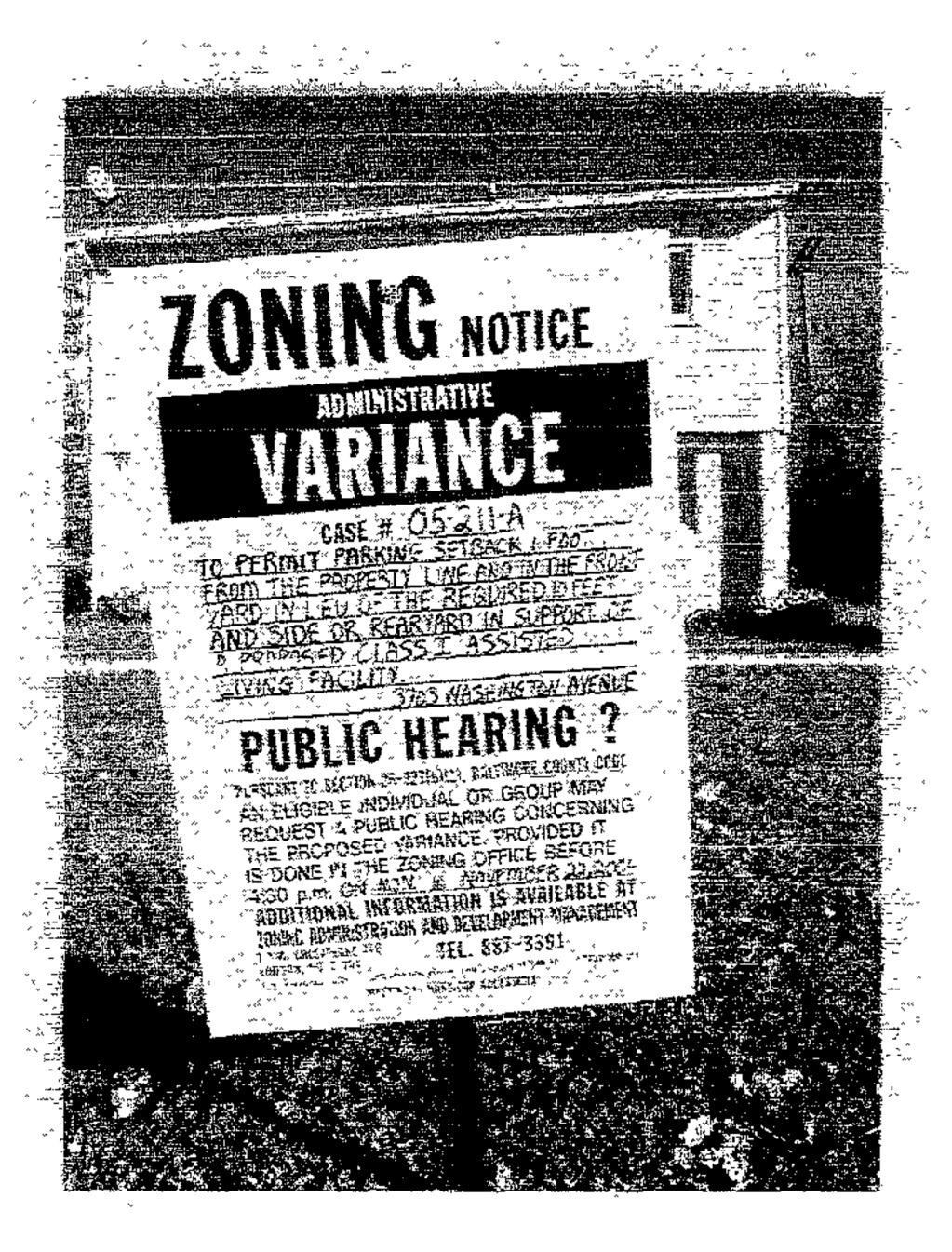
Petitioner/Developer VICTORIA ANI

Date of Hearing/Closing) November 22, 2004

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3703 WASH NG-TON AVE .

The sign(s) were posted on

November 6, 2004



Lenda O Kelfe (Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City. State. Zip Code of Sign Poster)

410-666-5366 (Telephone Number of Sign Poster)

Department of Permits and Development Management

Director's Office County Office Building 111 W Chesapeake Avenue Towson, Maryland 21204 Tel 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T Smith, Jr., County Executive Timothy M Kotroco, Director

May 26, 2005

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-211-A

3703 Washington Avenue

E/side of Washington Avenue, 51 feet north of centerline of Brevort Road

13th Election District – 1st Councilmanic District

Legal Owner: Victoria Ani

butty Kotroco

<u>Variance</u> to permit parking setback 1 foot from the property line and in the front yard in lieu of the required 10 feet and side or rear yard in support of a proposed Class I Assisted Living Facility.

Hearing: Thursday, July 14, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:kim

C: Victoria Ani, 3703 Washington Avenue, Baitimore 21244

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 29, 2005.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Visit the County's Website at www.baltimorecountyonline.info

TO: PATUXENT PUBLISHING COMPANY

Tuesday, June 28, 2005 Issue - Jeffersonian

Please forward billing to:

Victoria Ani 3703 Washington Avenue Baltimore, MD 21244 410-262-7180

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-211-A

3703 Washington Avenue

E/side of Washington Avenue, 51 feet north of centerline of Brevort Road

13th Election District – 1st Councilmanic District

Legal Owner: Victoria Ani

<u>Variance</u> to permit parking setback 1 foot from the property line and in the front yard in lieu of the required 10 feet and side or rear yard in support of a proposed Class I Assisted Living Facility.

Hearing: Thursday, July 14, 2005 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr, County Executive Timothy M. Kotroco, Director

November 22, 2004

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-211-A

3703 Washington Avenue

E/side of Washington Avenue, 51 feet north of centerline of Brevort Road

13th Election District – 1st Councilmanic District

Legal Owner: Victoria Ani

buth Kotroco

<u>Variance</u> to permit parking setback 1 foot from the property line and in the front yard in lieu of the required 10 feet and side or rear yard in support of a proposed Class I Assisted Living Facility.

Hearing: Wednesday, December 29, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Victoria Ani, 3703 Washington Avenue, Baltimore 21244 Richard Hall, 3701 Washington Avenue, Baltimore 21244 Dorothy Vaughan, 3604 Bellmore Rd., Baltimore 21244 William Huggins, 3733 Coronado Road, Baltimore 21244

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 14,2004.
 - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
 - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY

Tuesday, December 14, 2004 Issue - Jeffersonian

Please forward billing to:

Victoria Ani 3703 Washington Avenue Baltimore, MD 21244 410-262-7180

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-211-A

3703 Washington Avenue

E/side of Washington Avenue, 51 feet north of centerline of Brevort Road

13th Election District – 1st Councilmanic District

Legal Owner: Victoria Ani

<u>Variance</u> to permit parking setback 1 foot from the property line and in the front yard in lieu of the required 10 feet and side or rear yard in support of a proposed Class I Assisted Living Facility.

Hearing: Wednesday, December 29, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391. 桑

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 211 -A Address 3703 WASHINGTON AVE
Contact Person: LIOTO T. MOXLET Phone Number: 410-887-3391
Filing Date: 10/27/04 Posting Date: 11/7/04 Closing Date: 11/22/04
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 05-211 -A Address 3703 WASHINGTON AUE
Petitioner's Name VICTORIA AUI Telephone 410 922 5226
Posting Date: 11/7/64 Closing Date: 11/22/04
Nording for Sign: To Permit PARKING SETBACK 1' FROM THE
PROPERTY LIHE AND IH THE FRONT TARD IN LIEU OF THE
REQ 10 AND SIDE OR REARTAND IN SUPPORT OF A
PROPOSED CLASS I LAWING ASSISTED LIVING FACILITY

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing

Zoning Review will ensure that the legal requirements for advertising are satisfied However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number, or Case Number
Petitioner. MCFOVIS Ani
Address or Location: 3703 Washington Are, bechmore M. 21244
PLEASE FORWARD ADVERTISING BILL TC
Name: Michails Avi
Address 3703 Washington Ave,
bach more mid 21244
•
Telephone Number: 410-262-7180 or 410-922-5226
1

Department of Permits and Development Management

Development Processing
County Office Building
III W Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

James T Smith, Jr., County Executive Timothy M. Kotroco, Director

July 5, 2005

Victoria Ani 3703 Washington Avenue Baltimore, Maryland 21244

Dear Ms. Ani:

RE: Case Number: 05-211-A, 3703 Washington Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 27, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

very truly yours, Call Rill De

W. Carl Richards, Jr. Supervisor, Zoning Review

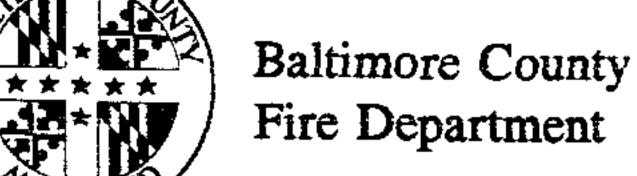
WCR: clb

Enclosures

c: People's Counsel



Visit the County's Website at www.baltimorecountyonline.info



Country fice Building, Room 111

Mail Stop #1105

111 West Chesapeake Avenue

Towson, Maryland 21204

ATTENTION: Zoning Review planners

Distribution Meeting of: November 8, 2004

Item No.: 207-220

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

700 East Joppa Road

410-887-4500

November 8, 2004

Towson, Maryland 21286-5500

6. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File



State Highway

Administration

Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

LTM

Maryland Department of Transportation

Date: 11.9.04

Baltimore County

Item No. 211

RE:

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear. Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

1. 1 thell

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 12, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor
Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 15, 2004 Item Nos. 208, 209, 210, 211, 213,

216, 219, and 220

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr Jos

DEPRM

DATE:

December 6, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of November 8, 2004.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

2

05-208

05-209

กร.วาวิ

05 212

05-216

05-219

05-220

Reviewers:

Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 19, 2005

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-211 Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark Cunningham in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

MAC/LL

RE: PETITION FOR ADMINSTRATIVE * BEFORE THE

VARIANCE

3703 Washington Avenue; E/side of * ZONING COMMISSIONER

Washington Ave, 51' N c/line of Brevort Rd

13th Election & 1st Councilmanic Districts * FOR

Legal Owner(s): Victoria Ani

Petitioner(s) * BALTIMORE COUNTY

* 05-211-A

* * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of November, 2004, a copy of the foregoing Entry of Appearance was mailed to, Victoria Ani, 3703 Washington Avenue, Baltimore, MD 21244, Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND Interoffice Memorandum

DATE:

11/18/04

TO:

William J. Wiseman, Zoning Commissioner for Baltimore County,

File

FROM:

Lloyd T. Moxley, Planner II, Office of Zoning Review

SUBJECT:

Case No. 05-211-A

It is the position of the Office of Zoning Review that the tenants of Section 32-3-303-(a) (1) B.C.C. have been met and the relief sought in the above referenced case can be considered administratively.

The subject property is owner occupied as verified in a telephone conversation with a Ms. Victoria Ani dated November 16, 2004. The subject property is currently residentially zoned as D.R. 5.5.

Additionally, the Administrative Variance procedure is the vehicle by which zoning relief has been sought and granted in many circumstances wherein the issues involved did not involve the residence but instead some ancillary and accessory use of the property (i.e. detached structures, fences, parking etc.). Accordingly, barring any formal demand for a hearing from the public, this office believes that the administrative variance procedure is the appropriate process for this property owner.

If I can be of further assistance, please do not hesitate to call.

RA1001B

DATE: 11/16/2004 STANDARD ASSESSMENT INQUIRY (1)

TIME: 11:59:09

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE

02 16 000530 02 1-0 04-00 H NO 10/07/04

ANI VICTORIA I DESC-1.. IMPS

DESC-2.. MILFORD RIDGE

3703 WASHINGTON AVE PREMISE. 03703 WASHINGTON AVE

00000-0000

BALTIMORE MD 21244-3777 FORMER OWNER: MCNAIR MYRA A

PRIOR PROPOSED CURR CURR PRIOR
LAND: 28,600 28,600 FCV ASSESS ASSESS
IMPV: 55,840 83,890 TOTAL.. 103,140 103,140 93,790
TOTL: 84,440 112,490 PREF... 0 0 0
PREF: 0 CURT... 103,140 103,140 93,790
CURT: 84,440 112,490 EXEMPT. 0 0

DATE: 07/00 08/03

---- TAXABLE BASIS ---- FM DATE

ASSESS: 103,140 08/10/04

ASSESS: 93,790
ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

DATE: 11/16/2004 STANDARD ASSESSMENT INQUIRY (3)

TIME: 11:59:36

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE 02 16 000530 02 1-0 04-00 H NO 10/07/04

----STATE-----GEO CODE N/A LAND-USE

REC CREATE DATE.. 10/23/92 80 NO R

DELETE CODE.... M

DATE DELETED....

LAST FM DATE.... 08/10/04

LAST FM TYPE.... Z

PREV FM DATE....

PREV FM TYPE....

----- COUNTY -----

LAST LOAD DATE... 10/07/04

PRIOR LOAD DATE.. 06/15/04

STATE TAXABLE ASSESS

ASSESS: 103,140

93,790 ASSESS:

ASSESS:

ENTER-INQUIRY1 PA1-PRINT PF2-INQUIRY2 PF4-MENU PF5-QUIT PF7-CROSS REF

DATE: 11/16/2004 STANDARD ASSESSMENT INQUIRY (2) TIME: 11:59:30

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PLAT								YEA	R BUILT		. 56	

TRANSFER DATA	EXEMPT DATA
NUMBER 264306	STATUS
DATE09/08/03	CLASS CODE
PURCHASE PRICE 120,000	STATE EXEMPT CODE
GROUND RENT0	COUNTY EXEMPT CODE 000
DEED REF LIBER 18735	CURR STATE EX ASMT 0
DEED REF FOLIO 0736	PRIOR STATE EX ASMT 0
CONVEYED IND	CURR COUNTY EX ASMT 0
TOT-PART TRAN IND T	PRIOR COUNTY EX ASMT 0
GRANTOR ACCT NO 02-16-000530	
CRITICAL NEW CONST CARD	STRUCTURE
AREAS CODE YEAR NO	CODE SQ. FEET
04704	1711

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

Department of Permits a Development Management

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

James T Smith, Jr., County Executive Timothy M Kotroco, Director

November 22, 2004

Victoria Ani 3703 Washington Avenue Baltimore, MD 21244

Dear Ms. Ani:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 05-211-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand or the zoning commissioner is requiring a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

The property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact Lloyd Moxley at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

u. Cellelo

Supervisor Zoning Review

WCR:klm

C: Richard Hall, 3701 Washington Avenue, Baltimore 21244 Dorothy Vaughan, 3604 Bellmore Rd., Baltimore 21244 William Huggins, 3733 Coronado Road, Baltimore 21244



Visit the County's Website at www.baltimorecountyonline.info

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

November 22, 2004

Carole S. Demilio, Deputy People's Counsel for Baltimore County 400 Washington Avenue, Room 47 Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE (3703 Washington Avenue)

Victoria Ani - Petitioner Case No. 05-211-A

Dear Ms. Demilio:

In response to your letter of November 10, 2004 concerning the above-captioned matter, the following comments are offered.

By way of background, the Petitioner filed for relief pursuant to Section 432.A.C.1 and 2 of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, relief is requested to permit a parking setback of 1 foot from the property line and in the front yard, in lieu of the required 10-foot setback and in the side or rear yard for a proposed Class I Assisted Living Facility. It is your opinion that the Petitioner should have filed for relief pursuant to Section 307 of the B.C.Z.R. and that the Petition should be denied, if not withdrawn.

I have discussed the issue raised in your letter with Lloyd Moxley of the Department of Permits and Development Management (DPDM). Mr. Moxley is the technician who assisted the Petitioner in filing the instant Petition and thus, is familiar with this case. Mr. Moxley advised that it is the position of the Zoning Review Division of DPDM that the requirements of Section 32-3-303 of the Baltimore County Code have been met and that the relief requested can be considered administratively. Apparently, Ms. Ani owns and occupies the residence in question. A copy of Mr. Moxley's inter-office memorandum, dated November 18, 2004, is attached for your reference.

It is apparent that the language of Section 432.A is new and that we are likely to see a series of this type of Petition. It would be my desire to proceed with administrative variance relief under Section 32-3-303 of the Baltimore County Code, as opposed to assigning these matters for a public hearing. I trust that you will give me the benefit of advice and ciarify as to whether or not you want a public hearing on this particular Petition or are "not taking a position on the merits of the variance relief at this time."

Very truly yours,

WILLIAMA WISEMAN, III

Zoning Commissioner for Baltimore County

W/W:bjs c: File



Visit the County's Website at www.baltimorecountyonline.info

BALTIMORE COUNTY, MARYLAND Interoffice Memorandum

RECEIVED

NOV 1 9 2004

ZONING COMMISSIONER

DATE:

11/18/04

TO:

William J. Wiseman, Zoning Commissioner for Baltimore County,

File

FROM:

Lloyd T. Moxley, Planner II, Office of Zoning Review

SUBJECT:

Case No. 05-211-A

It is the position of the Office of Zoning Review that the tenants of Section 32-3-303-(a) (1) B.C.C. have been met and the relief sought in the above referenced case can be considered administratively.

The subject property is owner occupied as verified in a telephone conversation with a Ms. Victoria Ani dated November 16, 2004. The subject property is currently residentially zoned as D.R. 5.5.

Additionally, the Administrative Variance procedure is the vehicle by which zoning relief has been sought and granted in many circumstances wherein the issues involved did not involve the residence but instead some ancillary and accessory use of the property (i.e. detached structures, fences, parking etc.). Accordingly, barring any formal demand for a hearing from the public, this office believes that the administrative variance procedure is the appropriate process for this property owner.

If I can be of further assistance, please do not hesitate to call.

DATE: 11/16/2004 STANDARD ASSESSMENT INQUIRY (1)

TIME: 11:59:09

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE

10/07/04 02 16 000530 02 1-0 04-00 H NO

DESC-1.. IMPS ANI VICTORIA I

DESC-2. MILFORD RIDGE

PREMISE. 03703 WASHINGTON AVE 3703 WASHINGTON AVE

00000-0000

BALTIMORE MD 21244-3777 FORMER OWNER: MCNAIR MYRA A

----- FCV ----- --- ---- PHASED IN -------PRIOR PROPOSED CURR CURR PRIOR LAND: 28,600 28,600 FCV ASSESS ASSESS 55,840 83,890 TOTAL.. 103,140 103,140 93,790 IMPV: TOTL: 84,440 112,490 PREF... 0 PREF: 0 0 CURT... 103,140 103,140 93,790 CURT: 84,440 112,490 EXEMPT.

DATE: 07/00 08/03

---- TAXABLE BASIS ---- FM DATE ASSESS: 103,140 08/10/04

> ASSESS: 93,790 ASSESS:

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DATE: 11/16/2004	STÄNDA	RD ASSESSMENT INC	QUIRY (2)					
TIME: 11:59:30								
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LOT 11 BOOK	0023	MAP 0077	LOT WIDTH 58.45					
BLOCK D FOLIO	0023	GRID 0024	LOT DEPTH00					
SECTION 1B		PARCEL 0461	LAND AREA 6100.000 S					
PLAT			YEAR BUILT 56					
TRANSFER DATA		EXEMPT DATA						
NUMBER	64306	4306 STATUS						
DATE	08/03	CLASS CODE						
PURCHASE PRICE 12	20,000	STATE EXEMPT (CODE					
GROUND RENT	0	COUNTY EXEMPT	CODE 000					
DEED REF LIBER	18735	CURR STATE EX	ASMT 0					
DEED REF FOLIO	0736	PRIOR STATE EX	K ASMT 0					
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GRANTOR ACCT NO. 02-16-0	00530							
CRITICAL NEW CONST	CARD	STRUCTURE	Ţ <u> </u>					

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ИО

04704

AREAS CODE YEAR

CODE SQ. FEET

1711

DATE: 11/16/2004 STANDARD ASSESSMENT INQUIRY (3)

TIME: 11:59:36

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE

02 16 000530 02 1-0 04-00 H NO 10/07/04

GEO CODE N/A LAND-USE -----STATE-----

REC CREATE DATE. 10/23/92 80 NO R

DELETE CODE.... M

DATE DELETED....

LAST FM DATE.... 08/10/04

LAST FM TYPE.... Z

PREV FM DATE....

PREV FM TYPE....

----- COUNTY -----

LAST LOAD DATE... 10/07/04

PRIOR LOAD DATE.. 06/15/04

STATE TAXABLE ASSESS

ASSESS: 103,140

ASSESS: 93,790

ASSESS:

ENTER-INQUIRY1 PA1-PRINT PF2-INQUIRY2 PF4-MENU PF5-QUIT PF7-CROSS REF

Baltimore County, Maryland





OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

NOV 1 0 2004

ZONING COMMISSIONER

CAROLE S. DEMILIO Deputy People's Counsel

November 10, 2004

KNAUB & ASSOCIATES, P.A.

Certified Public Accountants

1098 HIGHWAY 315 WILKES-BARRE, PA 18702

(570) 823-1600 - FAX (570) 823-3345

Administrative Variance is appropriate

32-3-303
SEE 432.5.B.I. NEW
LAW WE'LL SEE Lots OF THESE

PETER MAX ZIMMERMAN People's Counsel

> William J. Wiseman Zoning Commissioner for Baltimore County 401 Bosley Avenue, 4th Floor Towson, Maryland 21204

> > Re:

Victoria Ani

3703 Washington Avenue

Case No.: 05-211-A

Dear Mr. Wiseman:

The enclosed Petition seeks administrative variance relief under BCC 26-127 (b). The Code authorizes this procedure "... if the subject of the variance petition involves an owneroccupied lot zoned residential." It appears that the Petitioner wished to use this property for a Class I Assisted Living facility. It is not an "owner-occupied lot." Furthermore, Administrative relief is available on a limited basis for homeowners who seek a variance for height or area for their residence and not other uses. Our office does not believe the Petitioner qualifies for administrative relief.

We believe the Petition for Administrative Variance should be denied, if not withdrawn. The Petitioners should file a Petition for Variance under BCZR 307. We are not taking a position on the merits of the variance relief at this time.

Sincerely,

Deputy People's Counsel for Baltimore County

Enclosures

CSD/rmw

Victoria Ani, Petitioner cc:

RECEVED

NOV 1 7 2004

" our pred li" : Short min



chition for Administrative Variance

to the Zoning Commissioner of Baltimore Count

for the property located at 3703 Washington five mozin which is presently zoned DR

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 432A.C. 162 8ct (2

TO PERMIT PARK, IL G SETBACY I' FROM THE PROPERTY LINE AHO IN THE RONTYARD IN LIEU OF THE REQUIRED 10' AND IN THE SIDE OR REARYARD IN SUPPORT OF A PROPOSED CLASS I ASSISTED LIVING FACILITY

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			i/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition
Contract Purchas	er/Lessee:		Legal Owner(s):
			Victoris Ani
Name - Type or Print		**************************************	Name - Type or Print
Signature		<u></u>	Signature
Address	······································	Telephone No	Name - Type or Print
City	State	Zip Code	Signature
Attorney For Petit	ioner:		3703 WG Shington Ave 40-922-522 Address
Name - Type or Print		······································	Brithwere Mn 2 244 City State Zip Code
Signature	· · · · · · · · · · · · · · · · · · ·	<u> </u>	Representative to be Contacted:
Company			Victoria Ani
			3702 Wash about Ave 46-262-7
Address		Telephone No	Address Telphone No 2, 244
City	State	Zip Code	City State Zip Code
A Public Hearing havare	been formally deman	ided and/or found to be	required, it is ordered by the Zoning Commissioner of Balting re County. this petition be set for a public hearing, advertised, as required by the zoning
regulations of Baltimore C	ounty and that the prope	erty be reposted	me herman ne ser im a honur nearmid' sokettised' as tedrited h. tus touing

Reviewed By _____

Estimated Posting Date

∃9∀d Τ0

REV 10/25/01

CASE NO. 55-211-A

TESNOOD SETHOEL

410853453*e* 17:85 JJ/J2/500d

Date (0/27/00)

Zoning Commissioner of Baltimore County

INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM

PDM ALF # _____

Revised 1/25/99

Permit No. (if required) B

Director, Office of Planning & Community Conservation Attention: Jeffrey Long ALF REVIEWER

County Courts Building, Room 406

TO:

401 Bosley Avenue

Towson, MD 21204

Тоwson, MD 21204	CASE # 05-211-A
FROM: Arnold Jablon, Director Department of Permits & Development Management	21.30 1 211-4
RE: Assisted Living Facility (Class :A:) I cRII	
Pursuant to Section 432.5.8 (Baltimore Gounty Zoning Regulations) effects from the Office of Planning and Community Conservation prior to this office	ve February 25, 1994, this office is requesting recommendations and comments
MINIMUM APPLICANT SUPPLIED INFORMATION.	- approver or a penomigrose permit
VICTORIA I. ANI 3703	MASHINGTON AUF, BAITIMOR MOZIZYY -5
2000	Telephone Number lection District_2_Councilmanic District_4_Square Feet_6/0059, [-
Lot Location. NES Wiside comer of washington Ave.	
Land Owner Victoria Ani	(street)
	Tax Account Number <u>02/6000530</u> 2 M0 2 1244 Felephone Number (40) 922-5226
CHECKLIST OF MATERIALS- (to be submitted by applicant for require Community Conservation)	red compatibility and/or appearance review by the Office of Planning and
TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS	AND DEVELOPMENT MANAGEMENT ONLY
	PROVIDED? YES NO Accepted for filing by,
1. This Recommendation Form (3 copies)	Date: <u>LO/Z7 / 54</u>
2. Permit Application (if available)	 /
3. Site Plan Property (3 copies) including lot size and square feet of buildings, parking and open s	space - minimum 500 square
Tope Map (2 copies) -available in Room 206. Gounty Office Building - (please label si	
Statement as to whether or not building has been enlarged by 25% or more in the last	
4. Building Elevation Drawings (these may be waived if note 5.A. from Zoning Use Permit Checklist can be stated on the plans)	the
5. Photographs (please label all photos clearly)	
Adjoining Buildings, the Proposed Building, and Surrounding Neighborhood	
5. Current Zoning Classification:	(W6-G)
TO BE FILLED IN BY THE	OFFICE OF PLANNING ONLY!
ECOMMENDATIONS / COMMENTS:	
Approved	quired modifications of the application to conform with the following recommendations
gned by	Date
for the Director, Office of Planning and Colombinity Conservation	

APPLICATION FOR ZONING USE PERMITS

OWNER: Victoria Ani

FACILITY

ADDRESS: 3703 WASHINGTON AVENUE

BALTIMORE MARYLAND 21244

Phone: 410-922-5226

TITLE: ZONING USE PERMITS PLAN FOR ASSISTED LIVING

FACILITY 1

Plan Date:

8/16/2004

Lot Size:

6100 square feet

Zoning Map: N.W.6.6

Zone:

DR 5.5

Parking Space: 4 parking spaces available (application is for 4 beds only)

3. LOCATION OF THE PROPERTY

EXISTING FLOOR AREA SQUARE FEET:

1st Floor: Family room, half bath, cloak room and Utility Room: 566 sq ft

2nd Floor: Living Room +Dining +Kitchen 536 sq ft

2nd Floor: Porch (Enclosed porch) 204 sq ft

2nd floor (Outside Porch-No enclosure) 100 square

feet

3rd Floor (3 Bed rooms, bathroom,) 566 sq ft 1668 sq ft Total livable area

610 Sq ft OPEN SPACE: .10 X 6100 SQ FT (TE LOT SIZE):

4. NUMBER OF BEDS TO BE APPROVED WITH PARKING CALCULATIONS

25 by 49 feet Concrete parking space:

3 parking spaces Parking spaces available

9 beds Number of beds by parking space 3 beds = 1 parking space 4 beds Number of beds applied for:

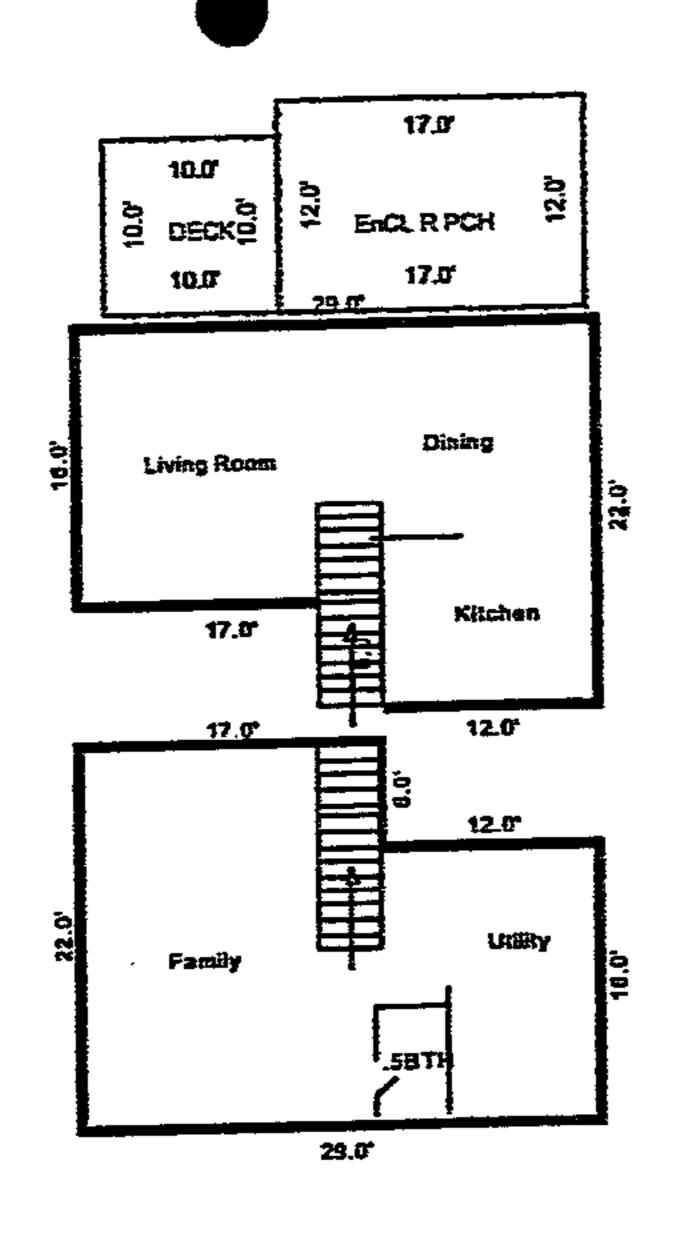
Parking is shown at the side

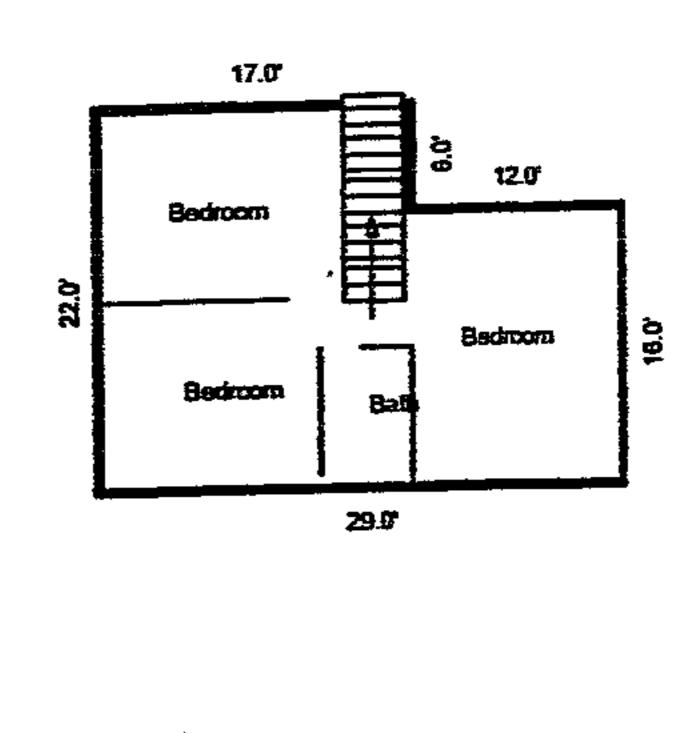
5 NOTE ON THE PLAN:

"This building has not been originally constructed to accommodate elderly housing or an assisted living facility. No reconstruction, relocation, (exterior) changes or additions (of 25% or more based on the ground floor area as of 5 years before the date of this application) to the exterior of the building have occurred, no additions are proposed"

- 6. DENSITY DIAGRAM: Application is for 4 beds. (See diagram if required).
- 7. Any proposed signs will comply with section 450 (BCZR) and all zoning sign policies or a zoning variance is required.

PREPARED Č, NORTH PROPERTY SUBDIVISION NAME PLAT BOOK # 23 γ8 ADDRESS ACC (10) 5 80'24'39" E 100" DOSOTH SOFE 169 Loi 11 Block 'D' 184 10. Drainage O.H. Wood SECTION # Deck 2 Story Block + Frame 2 Cono. 12' # 3703 CHIRTY 223. Frame 18.7 Shed SCALE Walk V Easement 43' SEE PAGES 5 읶 PARK. NY ZONING DRAWING: 77'25'49" 100. Ø 유 THE CHECKLIST FOR ADDITIONAL VARIANCE ZONING REVIEWED BY HISTORIC PROPERTY, 100 SNINOZ FOT SIZE CHESAPEAKE ELECTION DISTRICT 1"=200 COUNCILMANIC DISTRICT YEAR FLOOD PLAIN SEWER WATER **ZONING** LOCATION SPECIAL SCALE SCALE BAY REQUIRED VICINITY OFFICE USE ONLY HEARING MAP * INFORMATION : 1000' INFORMATION M∧P HEARING



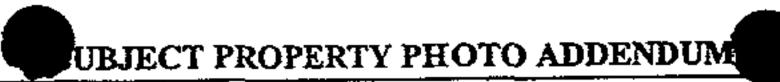


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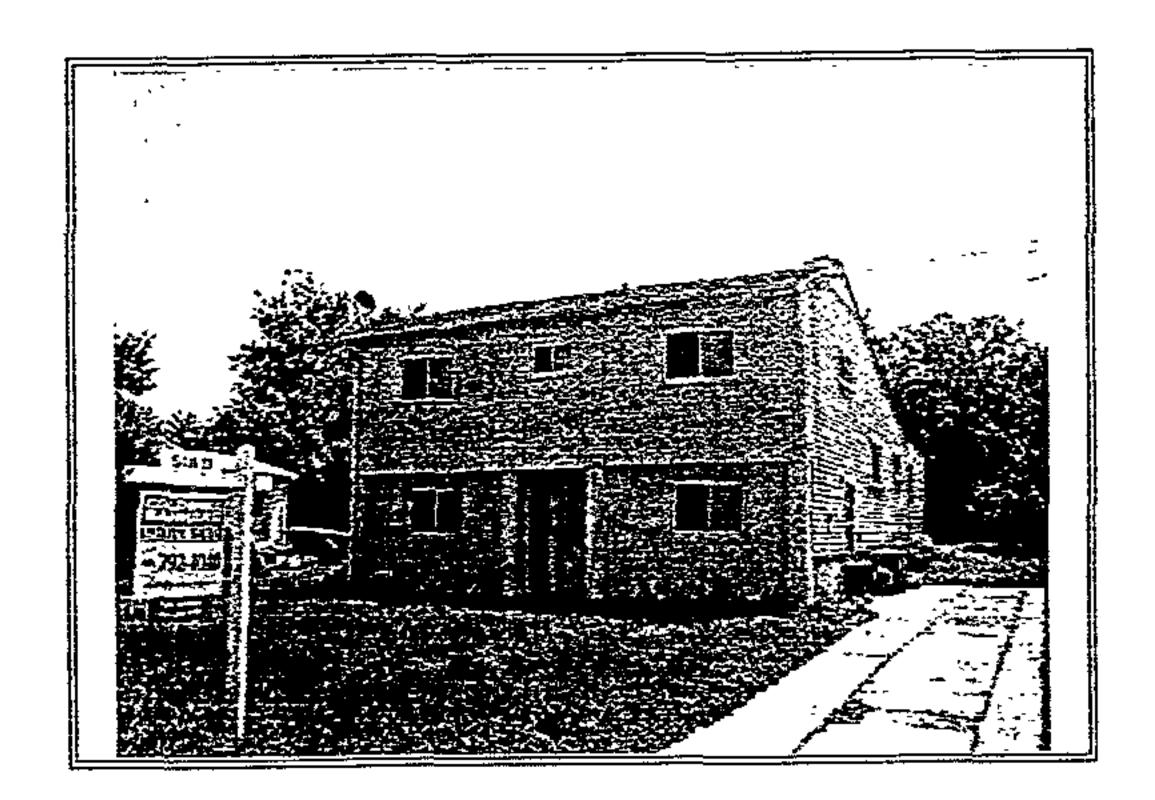
Seth by Apex IV Who towers

AREA CALCULATIONS SUMMARY											
Code	-Description	Size	Totals								
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GIA2	Second Ficor	536.00	536.00								
GA3	Third Floor	566.00	566.00								
2/P	Reci	204.00									
- # -	Poncia	100.00	304.00								
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LIVING AREA BREAKDOWN									
Breakdo	wi .	Sti							
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Second Ficor									
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6.0 ×	17.0								
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6 Areas Total (round	ded)								
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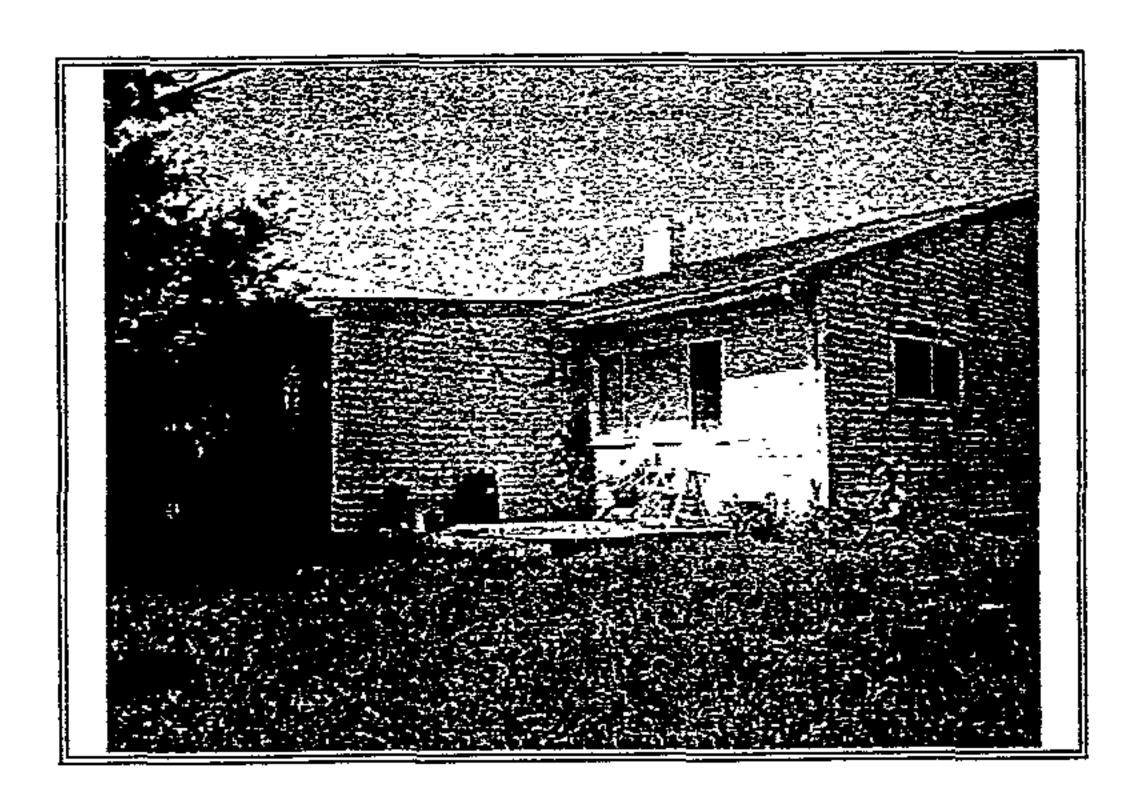


Borrower: VICTORIA ANI	File No.	443703WA
Property Address: 3703 WASHINGTON AVENUE	Case No	
City: BALTIMORE COUNTY	State: MD	Zip: 21244
Lender: BRADFORD BANK		······································



FRONT VIEW OF SUBJECT PROPERTY

Appraised Date: JUNE 9, 2003



REAR VIEW OF SUBJECT PROPERTY



STREET SCENE



FAX COVER SHEET

	For You, For Baltimore County
	Census 2000
Course You	urself in Maryland's Future!

Date: 11/12/04

. Number of Pages including cover sheet: 2

Tim Kotroco	From: Bill Wiseman
	-
one:	Phone: 3968
x# 5708 ii	Fax #
7	

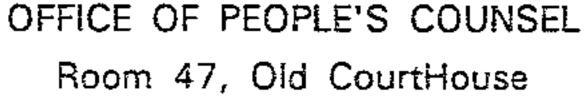
REMARKS: For your review Reply ASAP XX Please comment

Attached please find a copy of a letter I received from the Office of People's Counsel regarding a Petition for Administrative Variance that was recently filed in your office under Case No. 05-211-A. I would appreciate your comments on the issue raised.

PC IS CORRECT IN THAT ADM. VAR. AVAILABLE CHLY PROPERTIES THAT ARE OWNER OCCUPIED. IN THIS CASE IN RESPONSE TO QUERY THE APPLICANT INDICATED THE SITE WAS TO BE HER PRIMARY RESIDENCE. THE SECOND PART IS IN CORRECT, IF ADM VAR RELIEF IS FOR HEIGHTOR AREA FOR RESIDENCE THEN THE VARIANCE RELIEF GRANTED FOR ACCESSORY STRUCTURES, FENCES PARKING ETC WOULD BE IN EKROR.







400 Washington Ave. Towson, MD 21204

(410) 887-2188

NOV 1 0 2004

CAROLE S. DEMILIO Deputy People's Counsel

November 10, 2004

PETER MAX ZIMMERMAN People's Counsel

> William J. Wiseman Zoning Commissioner for Baltimore County 401 Bosley Avenue, 4th Floor Towson, Maryland 21204

> > Victoria Ani Re:

> > > 3703 Washington Avenue

Case No.: 05-211-A

Dear Mr. Wiseman:

The enclosed Petition seeks administrative variance relief under BCC 26-127 (b). The Code authorizes this procedure "... if the subject of the variance petition involves an owneroccupied lot zoned residential." It appears that the Petitioner wished to use this property for a Class I Assisted Living facility. It is not an "owner-occupied lot." Furthermore, Administrative relief is available on a limited basis for homeowners who seek a variance for height or area for their residence and not other uses. Our office does not believe the Petitioner qualifies for administrative relief.

We believe the Petition for Administrative Variance should be denied, if not withdrawn. The Petitioners should file a Petition for Variance under BCZR 307. We are not taking a position on the merits of the variance relief at this time.

Sincerely,

Deputy People's Counsel for Baltimore County

Enclosures

CSD/rmw

Victoria Ani, Petitioner cc:

Mr. Timothy Kotroco
Department of Permits
Room 511
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case #05211A – Administrative Variance Group Home – 3700 block of Washington Avenue

Dear Mr. Kotroco:

As a resident and board member of the Milford Mill Road Community Association, I am opposed to the establishment of another group home within this community. I am speaking specifically in reference to the 3700 block of Washington Avenue. The Milford Mill area and the Randallstown area appear to be a prime target for group homes. I am sure there are other communities or places for these residents.

When you place group homes within a residential setting there is never any positive outcome. You subject-the community to individuals with mental disabilities, psychiatric problems, drug addiction problems, sex offenders, crime and individuals straight from prison. All of this compiles a negative impact on the community safety as well as property value.

This also diminishes the quality of education in the area school systems, because the school is now dealing with all of the above problems. These problems, does not allow those who want to learn and those who want to teach the ability to do so. Therefore, resulting in the schools standards being dropped.

The residents in this community work hard to build and maintain the quality of life styles that they want for their families. I, therefore ask that you not allow a permit approved for the establishment of a group home in the 3700 block of Washington Avenue.

Sincerely May His

Janice Morton-High

RECEIVED

HOV 2 2 2004

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT 3807 Coronado Road Baltimore, MD 21244 November 18, 2004

Mr. Timothy Kotroco
Department of Permits
Room 511
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Case #05211A – Administrative Variance

Group Home – 3700 block of Washington Avenue

Dear Mr. Kotroco:

I am a member of the Milford Mill Road Community Association. I oppose the establishment of a group home in this community. There has been a great influx of people to this and the surrounding community in recent years. Because of this, we have experienced an increase in traffic and crime to this area. Adding another dimension, in the form of a Group Home, only serves to exacerbate the problem.

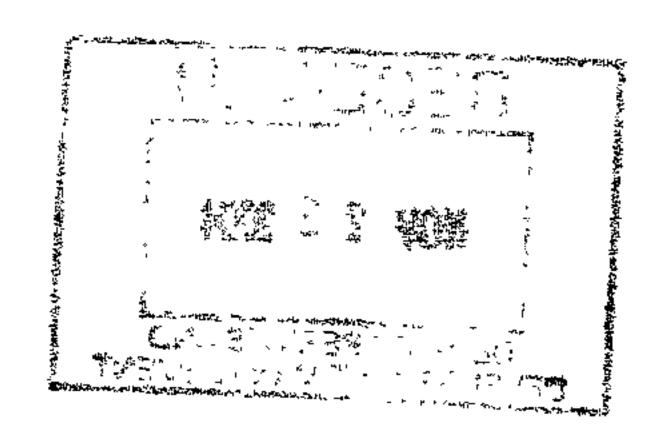
The homeowners in this area already contend with the overcrowding at Milford Mill Academy as well as the additional traffic and activity created by the High School. A group home would place an undue burden on the homeowners in this community. Our property value could be negatively impacted by a group home in our neighborhood. Additionally, we don't know if the residents of the group home suffer from mental disabilities and/or drug addiction problems. These types of problems may compromise the safety and stability of the community.

The citizens of this community want to, at least, maintain the quality of life that we currently have worked hard to build. I, therefore, implore you deny the permit to allow a group home in the 3700 block of Washington Avenue.

Sincerely,

Law Blown

Daniel M. Brown



RECEIVED

NOV 2 2 2004

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT Recod 11/19/04
Milford Mill Road Community Association

MMRCA

Timothy Kotroco Dept of Permits, Room 511 111 W Chesapeake Ave. Towson Md.21204

Dear Mr.Kotroco,

I am writing to you In reference to Administrative Variance Zoning Notice Case# 05-211-A at 3703 Washington Ave In Randallstown Md.

I am the President of the Milford Mill Road Community Association and I have been asked by residents in this Community to express our opposition to having another living assisted or group home in our area.

Please understand, we are all for Free Enterprise and support the State and County's effort to provide alternatives to those that would otherwise be placed in an institution to be cared for.

We are not prepared to have our community turned upside down due to lack of supervision, or regulations and guidelines not being properly enforced by caretakers.

Many of the Residents in this community are retired and Elderly, some are afraid Group Homes will turn our community into an area that is plagued with unruly, disrespectful individuals who have no regard for anyone but themselves. In addition to those concerns we also have a concern for The upkeep of the property where this home is located.

As you know the Randallstown-Woodlawn area now have the highest concentration of Group Homes in Maryland and we are asking that you consider our plea not to grant another Permit for A Living-Assisted Group Home in our community.

Sincerely,

Dorothy L. Vaughan-President MMRCA

3604 Bellmore RD Baltimore, MD 21244

Willam 12 - JASINS. 3733 COYDNACO ROACT CA 17/11018 Ma, 2129 Frimothy Kotroco NOU. 17, 2004 DEPT. OF PErmits Rooms/ 1111 neseapeare Aue. 700500 MD. 2104 This is to Certific FAAT of ASA RESIDENT + MEMBEY OF The MITORINI (10AC) Community & SSOCIATION DISAPPROVE OF KAJING KNOCHEY LIVING RSSISIED OVE YOUR HOME IN OUT FICH, BECAUSE THE Property 15 NOT LEEP UPIONAS A HOME OWNER TO ANG SENION 21717 EN OUN PROPERTY JA: JE GORS DOSSON By Min En Green.

3703 Washington Avenue Baltimore Maryland 21244

To: Kristen Cancel

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 W.Chesapeake Avenue
Towson, Maryland 21204

Dear W. Carl Richards Jr,

Re: NOTICE OF ZONING HEARING CASE NUMBER 05-211-A

I have received your letter dated November 22, 2004 and the notice of Zoning hearing scheduled for Wednesday, December 29, 2004. After due consideration, I have decided to cancel my attempt to do Assisted Living in my house at 3703 Washington Avenue and to consequently withdraw my application for zoning approval. I also wish to reinterate that I am the legal owner and occupant of 3703 Washington Avenue Thank you as you close my case.

Victoria Ani
Owner and Occupant
of 3703 Washington Avenue

cc: Lloyd Moxley

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04-3914

PLEASE PRINT CLEARLY

CASE NAME 303 Madengton

CITIZEN'S SIGN-IN SHEET

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CITY, STATE, ZIP	845 mo 21244 12/4- ms 21244	Balto MD 21244	4, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2,							
ADDRESS	3701 Washington Ave 36,4 Rellmord Rd.	2 2	6.30							
NAME	Shired P. Hale	Kliving Siming Cons	Sames Hilling							

PLEASE PRINT CLEARLY

ASE NUMBER Z

PETITIONER'S SIGN-IN SHEET

E-MAIL											
CITY, STATE, ZIP	Be Unrone massing										
ADDRESS	35703 Weshirpty Ave										
NAME	Victory Ani										

He of planning to 410-887-3480 July 12, 2005

We the citizens of the Milford Mill Community Association strongly oppose the proposed variance to alter parking at 3703 Washington Ave. We understand that the proposed alteration is needed in order to provide ample

parking for a proposed "Assisted Living" establishment. Mr+ Mrs Richard Hall 3701 Washington ave. At Call 1805 Kenlbridge RD Mrs Mrs Acardo M. Benn 3609 Bellmere Rd 21244 Spirley Welson 7808 Brevort Rd 21244 MR. +Mes Clavere Consh Mr. & Mrs. Milton Howood 3123 Pororado Rd. 21244 3613 Bellmore RS Bruce Simm Ballo. M. 21244 3705 Wasdinston Are. Baltimme, Maryland 21244 JAMES EIEY 3670 CORONADO R.D. 21244 H.C WEBER 3707 WASHINGTON AVE THARIES BRUCHEY, 2730 CORONADORd BALTIMOREMD ZIZYY Deborah M. Boinks Craig Jone 3823 Coronado Rd 21244 3709 WASKINGLON BULL Baltimore mo 21244 x3 Bonita Tates 3819 Washington AUE 21244

Elisabeth & Marion 7803 Delarant Rd 2/244
Sharoline Ri Jessie 1803 Delarant Rd 2/244
Man Sugh G 1806 Selame Rd 2/244
Authorn July 9 1806 Selame Rd 2/244
Catherine Jaylor 7806 Selame Rd 2/244
Ortavia Taylor 7806 Selame Rd 2/244
Unitavia Taylor 7806 Selapene Rd 2/244
Unitavia Taylor 7806 Selapene Rd 2/444
Unitavia Beauford 3725 Coronado Rd
Edward Beauford 3725 Coronado Rd
Dorethy Vaughan 3604 Bullmore Rd 2/244

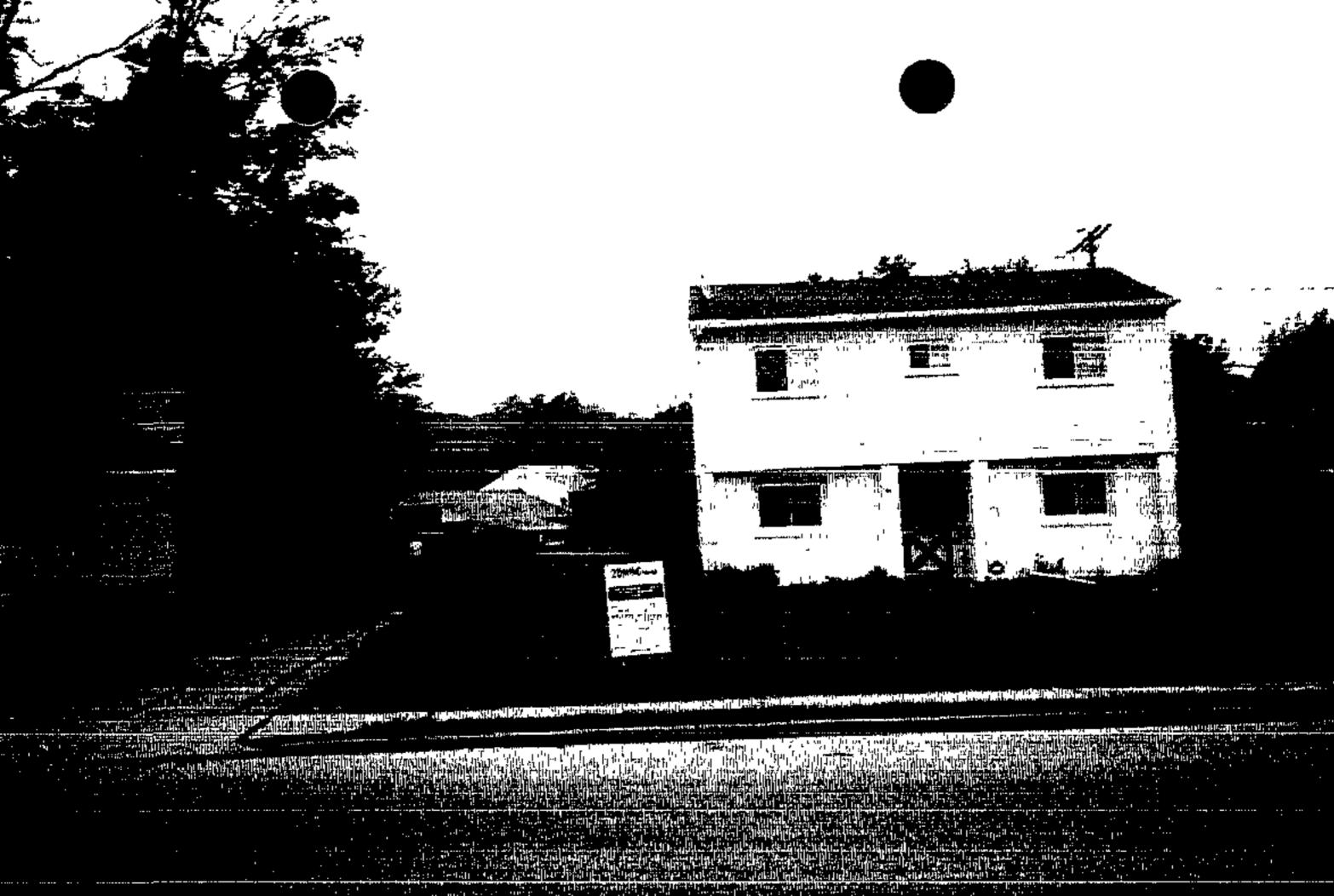






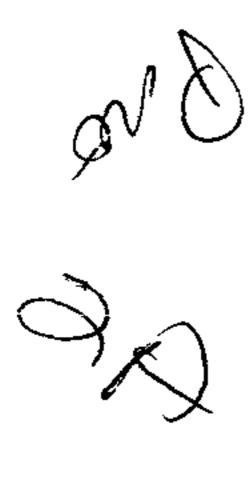








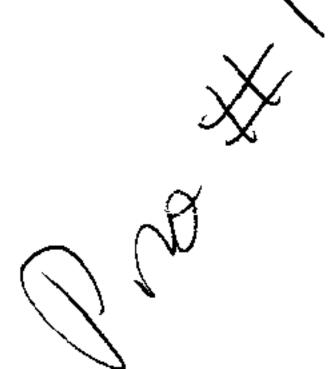


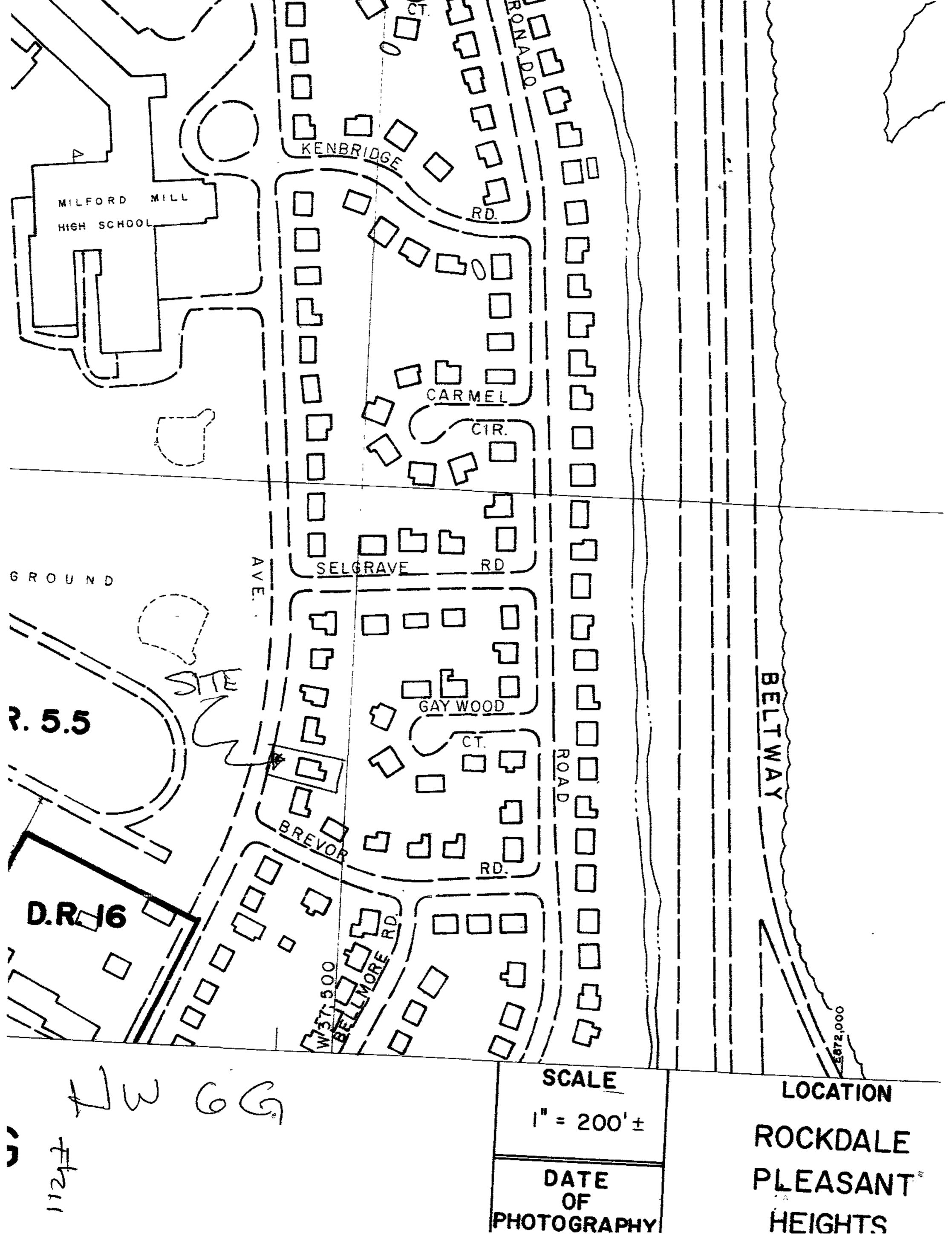


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HEARING FOR ADDITIONAL REQUIRED INFORMATION LOCATION INFORMATION PRIVATE SOUNE S.Wilford 10001 USE VICINITY MAP 1' =__ OFFICE (SPECIAL COUNCIL MANIC DISTRICT 100 YEAR FLOOD PLAIN PRIOR ZONING HEARING 1" = 200' SCALE MAP # HISTORIC PROPERTY/ BUILDING A STATE OF THE PARTY OF THE PAR SCALE ELECTION DISTRICT 6 BAY ZONING REVIEWED BY SEWER CHESAPEAKE CRITICAL WATER ZONING T MARSHAD SECONS LOT SIZE 1 ARIANCE THE CHECKLIST (21) 9 DRAWING: N FOR ZONING 100% M LEY.SZLL N W Drive Cond. 2,#E1 Ą アコンプロセム SCALE .67 TAE. 9 M 12.7 R=1223. CHITTY **EOLE** # SECTION 151 Slock + Frame Deck 65, Drainage POOM H'O 1=63. OPEN SPACE 10 LOT PLAT TO ACCOMPANY T.21 **(4)** 2 80.54,20₈ E .001 SOL (01) PROPERTY ADDRESS 25' B.R.L. SUBDIVISION NAME PLAT BOOK # 25 OWNER CICT PREPARED BY NORTH